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26  
27 UNITED STATES DISTRICT COURT  
28 NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

29 FACEBOOK, INC., a Delaware  
30 corporation,

31 Plaintiff,

32 v.

33 Steven Richter,

34 Defendant.

Case No. 5:10-cv-04710-LHK

~~[PROPOSED]~~ CONSENT DECREE

1 In accordance with a confidential Settlement Agreement and Mutual Release between  
2 plaintiff, Facebook, Inc. ("Facebook"), and defendant, Steven Richter ("Richter"), Richter  
3 consents and stipulates to this Consent Decree as follows:

4 1. Richter consents to this Court's jurisdiction over the subject matter at issue in this  
5 action.

6 2. Richter consents to this Court's personal jurisdiction for the purposes of entry and  
7 enforcement of this Consent Decree.

8 3. Richter consents to an entry of a permanent injunction enjoining him from:

- 9 a. Initiating or procuring transmission of unsolicited commercial electronic  
10 messages ("spam") on or through Facebook's computers, Facebook's  
11 website, Facebook's networks, or to Facebook users without Facebook's  
12 express written consent;
- 13 b. Creating or maintaining any Facebook Pages without Facebook's express  
14 written consent;
- 15 c. Creating or maintaining any Facebook applications without Facebook's  
16 express written consent;
- 17 d. Creating, directing, maintaining, or profiting from any marketing campaign  
18 targeted at Facebook users on facebook.com or targeting Facebook users  
19 through the use of Facebook services, without Facebook's express written  
20 consent;
- 21 e. Creating or maintaining any Facebook Profile without Facebook's express  
22 written consent;
- 23 f. Creating, purchasing, using, distributing, trafficking in, or selling fake or  
24 compromised Facebook user account information; and
- 25 g. Engaging in any activity that violates, or encourages, induces or facilitates  
26 others to violate Facebook's Statement of Rights and Responsibilities,  
27 Developer Policies and Principles; Advertising Guidelines or any other  
28 applicable terms of use.

DATED this 22 day of February, 2011.

Individually

Plaintiff, Facebook, Inc., assents to the entry of the above Consent Decree, as authorized by defendant, Steven Richter.

DATED this 23 day of February 2011.

By   
Its Litigation Counsel

Attorneys for Plaintiff  
FACEBOOK, INC.

1 **Business & Technology Law Group**

2  
3 By:/s/ Stephen N. Hollman  
Stephen N. Hollman

4 Attorneys for Defendant  
5 STEVEN RICHTER

6 **PURSUANT TO AGREEMENT OF THE PARTIES, IT IS SO ORDERED.**

7 DATED this 25th day of February, 2011.

8  
9 

10 HONORABLE LUCY H. KOH